

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RONALD HARRIS II,

Petitioner,

: Case No. 3:15-cv-179

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

STATE OF OHIO,

:

Respondent.

REPORT AND RECOMMENDATIONS

Petitioner Ronald Harris filed this matter on May 15, 2015, captioning it as brought under 28 U.S.C. § 2254 and paying the filing fee associated with a habeas case (Doc. No. 1). However, the Magistrate Judge found the original filing did not state a claim for habeas corpus relief and ordered Harris to file an actual habeas petition, on forms supplied by the Clerk, not later than June 1, 2015 (Doc. No. 3). The Clerk provided the forms, but Mr. Harris has filed nothing and the time within which he was ordered to file a petition has expired.

It is therefore respectfully recommended that this case be dismissed without prejudice for want of prosecution.

June 11, 2015.

s/ *Michael R. Merz*
United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(d), this period is extended to seventeen days because this Report is being served by one of the methods of service listed in Fed. R. Civ. P. 5(b)(2)(C), (D), (E), or (F). Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 153-55 (1985).